

Kimberly Friends

From: David LeNard <dlenard@usac.org>
Sent: Thursday, July 26, 2012 8:07 AM
To: 'Laura Sasaki'
Cc: Kim Friends; Drulyne Vang; CSM PIA
Subject: Inquiry 22-395506 RE: URGENT: Application 826498, Selma Unified School District BEN 144054

Laura,

Thank you for your inquiry to the Ombudsman group.

Beginning in Funding Year 2011 the Item-21 attachment became a filing requirement. For Funding Year 2012 the grace period for filing the Item-21 attachment ended May 9, 2012. At this point you should await the arrival of the Funding Commitment Decision Letter (FCDL) which will be the appealable event. While you may wish to cite FCC Order DA 12-796, this order was specific to the applications listed and not global in nature.

If you have any further questions, please feel free to contact us at ombudsman@usac.org.

Sincerely,
Dave LeNard

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From: Laura Sasaki [mailto:lsasaki@csmcntral.com]
Sent: Wednesday, July 25, 2012 6:14 PM
To: Ombudsman
Cc: Kim Friends; Drulyne Vang; CSM PIA
Subject: URGENT: Application 826498, Selma Unified School District

Dear Bob/Dave,

I am contacting you regarding an issue with Selma USD's application 826498, FRN 2377501. When submitting the Item 21s on 3/20/2012, the incorrect Item 21 page from our spreadsheet was PDF'd and sent in; one for an FRN that was not being used. This was clearly a clerical error (well within correctable parameters), and we indicated this during PIA, and submitted the correct Item 21 for this FRN.

We received this email today regarding the status:

Hello,

We have completed our review of your Funding Year 2011 Form 471 application **#826498** and have determined that FRN(s) 2377501 will not be funded because the Item 21 attachment to support **this** FRN(s) was not received on or before the filing deadline.

For FY2011, Program rules required that Item 21 Attachments were to be submitted on or before May 17, 2011.

If you believe that the FRN(s) should **not** be denied and you have supporting documentation to show proof of your Item 21 attachment submission on or before May 17, 2011, please provide this documentation. Examples of acceptable documentation are proof of mailing or your submission (e.g., post-office receipt, actual email and/or fax with confirmation page). In addition to proof of submission, please submit an EXACT COPY of the Item 21 Attachments that were previously submitted.

Matthew Byrnes

Associate Manager, Program Integrity Assurance

30 Lanidex Plaza West | Parsippany, NJ 07054

Direct: [973.581.5319](tel:973.581.5319) | F: [973.599.6538](tel:973.599.6538)

Mbyrnes@sl.universalservice.org

I have clarified with Matt that he was referring to FY2012, not FY2011 indicated in the email. This application is now "**Available for Quality Assurance**", and we would like to get this resolved before an FCDL is issued to avoid a lengthy appeal process for an issue that is clearly a clerical error in nature. It would be unfortunate if this FRN were denied, most especially in light of the recent FCC Order addressing such circumstances. FCC Order DA 12-796, published on May 22, 2012, grants waivers for applicants whose applications were complete, and "**submitted on time but for their certifications or item 21 attachments...**". In this situation, all other Item 21s were submitted on time, and it was only the one that was incorrectly submitted.

Thank you in advance for your assistance with this, and please do not hesitate to contact me with any questions.

Sincerely,

Laura Sasaki

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